

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA

BASEM M.F. HUSSEIN,

Plaintiff,

v.

UNIVERSAL DEVELOPMENT
MANAGEMENT, INC., t/d/b/a The Meadows
Apartments, UDE OF MITCHELL ROAD,
LTD., and SHERRI LYNN WILSON,

Defendants.

Civil Action No. 01-2381

Electronically Filed

**EMERGENCY MOTION TO DEPOSIT IN COURT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 66**

Defendants, Universal Development Management, Inc., t/d/b/a The Meadows Apartments, UDE of Mitchell Road, Ltd., and Sherri Lynn Wilson, by their undersigned counsel, move the court as follows:

1. On September 22, 2005, the jury in this matter found Defendants liable for invading Plaintiff's privacy.
2. The jury awarded \$850,000.00 in compensatory damages to Plaintiff, as well as \$1,600,000.00 in punitive damages.
3. Defendants have filed a Rule 59(e) Motion to Amend or Alter the Judgment. Defendants have also filed a Rule 50 Motion seeking Judgment as a Matter of Law or, in the alternative, a new trial.
4. Defendants have filed an Emergency Motion for Stay, requesting that this Honorable Court stay the execution of the judgment pending the disposition of Defendants' Rule 59(e) and Rule 50 motions.

5. Defendants seek to deposit into court a bond in the amount of 120% of the verdict (i.e., a bond in the amount of \$2,940,000.00), so as to provide adequate security for Plaintiff during the stay period.

WHEREFORE, Defendants request that this Honorable Court grant their Emergency Motion to Deposit, and permit Defendants to post a bond in the amount of \$2,940,000.00.

Respectfully submitted,

DICKIE, MCCAMEY & CHILCOTE, P.C.

Dated: _____ /s/
James R. Miller
PA I.D. #16190
Rodger L. Puz
PA I.D. #67216

Two PPG Place, Suite 400
Pittsburgh, PA 15222
(412) 281-7272

R.E. HALL & ASSOCIATES, P.C.
R. Eric Hall
PA I.D. #40895

1275 Glenlivet Drive, Suite 210
Allentown, PA 18106

Attorneys for Defendants Universal Development Management, Inc. t/d/b/a The Meadows Apartments, UDE of Mitchell Road, Ltd. And Sherri Lynn Wilson

CERTIFICATE OF SERVICE

I, Rodger L. Puz, Esquire, hereby certify that true and correct copies of the foregoing **Emergency Motion to Deposit in Court Pursuant to Federal Rule of Civil Procedure 66** have been served this 6th day of October, 2005, by U.S. first-class mail, postage pre-paid, to counsel of record listed below:

Craig L. Fishman, Esquire
Tarasi, Tarasi & Fishman, P.C.
510 Third Avenue
Pittsburgh, PA 15219-2181
Attorneys for Plaintiff

DICKIE, McCAMEY & CHILCOTE, P.C.

By _____ /s/
Rodger L. Puz

Attorneys for Defendants Universal Development Management, Inc. t/d/b/a The Meadows Apartments, UDE of Mitchell Road, Ltd. And Sherri Lynn Wilson